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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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In the Matter of )  
 )  
North American Numbering ) DA 97-2234  
Counsel request for clarification ) CC 92-237  
of the term "Technology Neutral" )

COMMENTS OF THE ASSOCIATION  
FOR LOCAL TELECOMMUNICATIONS SERVICES

The Association for Local Telecommunications Services ("ALTS"), pursuant to public notice DA 97-2234, released October 20, 1997, hereby submits its comments on the issues raised by the letter dated August 22, 1997 from the North American Numbering Council ("NANC"). ALTS is the national trade association representing facilities-based competitive local exchange carriers and ALTS is a member of the NANC.

In its letter, the Council seeks guidance as to what constitutes "technological neutrality." This issue has been raised with respect to the proposed introduction of number pooling under an NXX-X Location Routing Number ("LRN") scheme prior to the adoption of LRN by Commercial Mobile Radio Service ("CMRS") carriers. The NXX-X LRN number pooling refers to a method of sharing NXX 1000s blocks among multiple service providers in the same rate center. Technical neutrality is also raised as an issue in a methodology referred to as Unassigned Number Porting. Unassigned Number Porting refers to the porting of unassigned numbers among multiple service providers in the

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same rate center. This also requires LRN capability.

As an initial matter, with respect to the allocation of numbers and their use, it must be remembered that the Commission has not required unequivocal "technological neutrality" in the area of numbering administration. Rather, the Commission has required numbering decisions to be made in a manner that does not "unduly favor one technology over another." In re Proposed 708 Relief Plan and 630 Numbering Plan Area Code by Ameritech, Illinois, 10 FCC Rcd 4596, 4604 (1995). The Commission stated only that the North American Numbering plan should be "largely technology neutral." (Id.). This standard was affirmed in In re Administration of the North American Numbering Plan, CC Docket No. 92-237, 11 FCC Rcd 2588, 2595 (1995).

While the most desirable outcome of any NANC recommendation would be if it neither explicitly nor implicitly encourages nor discourages the provision of any service by one technology over another, the Commission's standard recognizes that there may be instances in which the public benefits of adopting one method of allocating numbers over another outweigh any potential harm caused by a lack of absolute technical neutrality. This is obviously a balancing test; absolute technical neutrality is a concept to be strived for, but may not always be achievable.<sup>1</sup>

In the case of number pooling and unassigned number porting prior to the adoption of LNP for all carriers, it does not appear that any potential harm to CMRS carriers would outweigh the

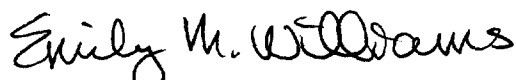
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<sup>1</sup> The Communications Act requirement is only that "numbers [be] available on an equitable basis." 47 U.S.C. § 251(e). See also 47 U.S.C. § 251 (b) (3), which requires all local exchange carriers to permit all other carriers "nondiscriminatory access to telephone numbers."

benefits of pooling. CMRS carriers have not, to date, identified with any specificity what they perceive as the potential harm to them if number pooling or unassigned number porting is adopted for wireline carriers prior to the adoption of LRN for CMRS carriers. Theoretically, it is possible that pooling and unassigned number porting would give an advantage to small wireline carriers seeking to enter the market, but any potential advantage would appear to be minuscule. In any event, pooling should make more numbers available to all carriers, thus benefitting both wireline and CMRS providers.

The delay in implementation of LRN for CMRS carriers was sought by a number of those carriers.<sup>2</sup> Now that they possibly see some advantages to LRN, the CMRS carriers should not be allowed to complain that they will not be the beneficiaries. Nor should they be allowed to delay the obvious benefit to the public at large and all carriers of this method of conserving numbers.

Respectfully submitted



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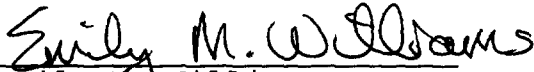
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<sup>2</sup> See In re Telephone Number Portability, CC Docket No. 95-116, 11 FCC Rcd 8352 (1995).

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Comments of the Association for Local Telecommunications Services was served October 29, 1997 on the following persons by first-class mail or by hand service as indicated.

  
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